IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

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§	CASE NO: 4:24-CV-2440
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DEFENDANT'S NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant EKRE of TX, LLC ("EKRE") removes Cause No. 2024-32483, *Bria Ratcliff, as Power of Attorney for Frances St. Amand v. EKRE of TX, LLC*, from the 55th District Court of Harris County, Texas, to the United States District Court for the Southern District of Texas, Houston Division.

SUMMARY OF GROUNDS FOR REMOVAL

1. Removal is appropriate under 28 U.S.C. §§ 1331 and 1441. Plaintiff's pleadings include claims pursuant to the Fair Debt Collection Practices Act [15 U.S.C. § 1692 et seq.], and this District Court has original jurisdiction over this civil matter because it arises under the Constitution, laws, or treaties of the United States.

PROCEDURAL REQUIREMENTS FOR REMOVAL

2. On May 22, 2024, Bria Ratcliff as Power of Attorney and Attorney in Fact for Frances St. Amand ("Plaintiff") filed her Original Petition to Set Aside Fraudulent Real Estate Conveyance ("Original Petition") against EKRE in the 55th District Court of Harris County,

Texas [Cause No. 2024-32483]. Plaintiff served the Original Petition on EKRE on or around June 5, 2024. Accordingly, EKRE's Notice of Removal is timely. *See* 28 U.S.C. § 1446.

- 3. Venue lies in this Court because this case was pending in the District Court of Harris County, Texas, and this Court is the "district court of the United State for the district and division embracing the place where the action is pending." *See* 28 U.S.C. § 1441(a).
- 4. EKRE will promptly serve notice and a copy of this Notice of Removal with the Clerk of Harris County, Texas, as required by 28 U.S.C. § 1446(d).
- 5. Attached to this Notice of Removal are the documents required by Local Rule 81. An index of that material follows:

Exhibit	Document Description
A	List of Counsel of Record
В	State Court Civil Docket Sheet
С	Original Petition filed on May 22, 2024
D	Request for Issuance of Service filed on May 22, 2024
E	Executed Citation filed on 6/06/2024
F	Domestic Return Receipt filed on 6/18/2024

CONCLUSION AND PRAYER

EKRE OF TX, LLC, provides notice that this civil action has been properly and immediately removed, pursuant to 28 U.S.C. §§ 1331, 1441, and 1446. EKRE OF TX, LLC, respectfully requests this Court exercise and maintain its jurisdiction over this case.

Respectfully submitted,

GRAY REED

By: /s/ Jonathan Hyman

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ATTORNEYS FOR EKRE of TX, LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was forwarded to Plaintiff pursuant to the Federal Rules of Civil Procedure on this 28th day of June, 2024.

> /s/ Kelly H. Leonard Kelly H. Leonard